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September 27, 1994

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

The Honorable Larry Combest  
U.S. House of Representatives  
1511 Longworth House Office Building  
Washington, D.C. 20515

Dear Congressman Combest:

Thank you for your letter on behalf of H.T. Montgomery, Sheriff, County of Moore, regarding the Commission's Billed Party Preference (BPP) proceeding. On May 19, 1994, the Commission adopted a Further Notice of Proposed Rulemaking in this proceeding. I have enclosed a copy of the Further Notice and press release accompanying it for your information.

The Further Notice sets forth a detailed cost/benefit analysis of BPP. This analysis indicates, based on the available data, that the benefits of BPP to consumers would exceed its costs. The Further Notice seeks comment on this analysis and asks interested parties to supplement the record concerning the costs and benefits of BPP. The Further Notice also invites parties to recommend alternatives to BPP that could produce many of the same benefits at a lower cost.

The Further Notice also explicitly seeks comment on whether correctional facility telephones should be exempt if BPP is adopted. Specifically, the Further Notice seeks additional information on the effectiveness and costs of controlling fraud originating on inmate lines with or without BPP. The Further Notice also seeks comment on a proposal to exempt prison telephones from BPP if the operator service provider adheres to rate ceilings for inmate calling services.

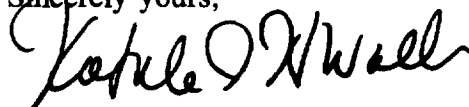
BPP would not preclude prison officials from blocking or limiting inmate calls to specific telephone numbers in order to prevent threatening and harassing calls. Moreover, BPP would not affect the ability of prison officials to limit inmates to collect calling or to program telephone equipment at the prison site to block certain numbers.

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The Honorable Larry Combest  
Page 2

Thank you for your interest in this proceeding. I can assure you that the Commission will carefully **examine** all of the comments submitted in response to the Further Notice, including additional empirical data regarding the costs and benefits of implementing BPP and the impact of BPP on telephone service from correctional facilities.

Sincerely yours,



Kathleen M.H. Wallman  
Chief  
Common Carrier Bureau

Enclosures



LARRY COMBEST  
19TH DISTRICT, TEXAS

COMMITTEE ON AGRICULTURE  
COMMITTEE ON SMALL BUSINESS  
PERMANENT SELECT COMMITTEE  
ON INTELLIGENCE

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**Congress of the United States**  
**House of Representatives**

August 23, 1994

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Ms. Lauren J. Belzin  
Acting Director, Office of Legislative Affairs  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, D.C., 20554

Dear Ms. Belzin:

Please find enclosed a copy of correspondence from a constituent of mine, Mr. H.T. Montgomery. I would appreciate any assistance or information you can provide regarding this matter.

Thank you in advance for your consideration.

Sincerely,

  
Larry Combest

LC/msb  
Enclosure

Office of the Sheriff  
County of Moore

H.T. "Ted" MONTGOMERY  
Sheriff

July 28, 1994



BUL 29-004

700 S. Bliss  
Dumas, Texas 79029-4448

806/935-4145  
Fax 806/935-2699

Honorable Larry Combest  
U.S. Representative of Texas  
U.S. House of Representatives  
Washington, D.C. 20515

191836  
BLB  
8/1/94

Dear Representative Combest:

I am writing in reference to a current pending regulatory issue before the FCC known as Billed Party Preference (BPP). From what I am able to understand from this pending regulation is that it will allow only the person being billed for the call to determine what telephone company will handle the call. If this is true it will have a drastic effect on how calls are handled by local jails and prisons across the nation.

Most jails and prisons contract and use a specific phone company to handle inmate calls. If we were forced to discontinue this the following things could and would be lost.

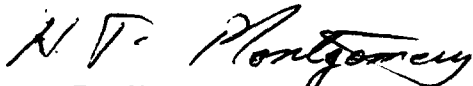
- a. Victim and witness harassment prevention via inmate phones
- b. On site phone system supervision by facility personnel
- c. Phone number blocking capability
- d. Call duration capability
- e. Call monitoring capability
- f. Collect-only system capability
- g. Reduced budgetary costs due to not having to pay for inmate calls.

If this regulation becomes effective we will lose control of our inmate phone systems, costs will increase and the potential for fraud will creep back into the system.

I strongly oppose this regulation and I am asking for your help to stop this regulation from becoming effective. If this regulation should become effective it will eliminate the private pay telephone and inmate phone systems. We have a population of 17500 in our county, I know this is very small but as a rural county Sheriff my job is to protect all our citizens from harassment from inmates if they are a witness or a victim of crime. This regulation would eliminate my ability to do this thru call blocking and a collect call only system.

Please consider this issue and use your influence to stop this regulation from becoming effective.

Respectfully,

A handwritten signature in cursive script, reading "H.T. Montgomery". The signature is written in dark ink and is positioned above the printed name and title.

H.T. Montgomery  
Moore County Sheriff